

# **EXHIBIT 3**



## United States Department of Justice

### United States Attorney's Office Central District of California

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1300 United States Courthouse  
312 North Spring Street  
Los Angeles, California 90012

December 8, 2022

#### **VIA HAND DELIVERY**

Georgina Wakefield  
Gabriela Rivera  
Julia Deixler  
Deputy Federal Public Defenders  
321 East 2<sup>nd</sup> Street  
Los Angeles, California 90012

Re: United States v. Jerry Nehl Boylan,  
CR No. 22-482-GW

Dear Counsel:

Pursuant to your request on November 17, 2022, enclosed please find load files for the discovery previously produced to you in PDF format on August 17 and 31, 2022 in *United States v. Jerry Nehl Boylan*, Case No. CR 20-600-GW.

Specifically, the enclosed load files correspond to data produced to you in Productions 12, 13 and 14 in the prior case. For the avoidance of confusion, the Bates numbering for the load file materials produced today is the same as the Bates numbering for the corresponding materials previously produced to you in August. We are enclosing copies of the prior discovery correspondence accompanying Productions 12-14 and indices describing the content of the discovery for your convenience.<sup>1</sup>

The thumb drive containing the discovery is encrypted. We will provide the password to access the thumb drive by separate correspondence.

More generally, the discovery that the government produced to you upon your request in Case No. CR 20-600-GW pertains equally to the charges in Case No. CR 22-482-GW, including discovery for which we have met and conferred in the past. Nonetheless, should you like to discuss previously produced discovery or this discovery production, and/or make arrangements for future discovery productions, at a Rule 16.1 discovery conference, please let us know.

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<sup>1</sup> The materials produced today contain the identifier "LF" to differentiate them from the initial version of the discovery indices produced to you in August; however, the contents listed are identical.

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The government will make available for your inspection any item of evidence referred to above, as well as any other evidence seized from your client and/or which the government intends to offer in its case-in-chief. Please contact us to arrange a mutually convenient time for your inspection of such items.

The government will produce to you any additional Jencks material—including any relevant grand jury transcripts, assuming a Rule 6(e) order has been issued—one week before trial if you agree to the production of reciprocal Jencks material at that time or affirmatively represent that you have no Jencks material to produce. Please inform us whether such an arrangement is acceptable to you.

The government also hereby gives notice that it may seek to introduce the other crimes, wrongs, or acts committed by your client that are referenced in the enclosed items and/or previously produced items pursuant to Rules 404(b) and/or 609(b) of the Federal Rules of Evidence. The government will provide a more detailed discussion of the Rule 404(b) evidence at a later date.

The enclosed materials and any future discovery provided to you that may exceed the scope of discovery mandated by the Federal Rules of Criminal Procedure, federal statute, or relevant case law are provided voluntarily and solely as a matter of discretion. By producing such materials to you, the government does not waive its right to object to any future discovery requests beyond the ambit of its legal obligations.

With this letter the government requests all reciprocal discovery to which it is entitled under Rules 16(b) and 26.2 of the Federal Rules of Criminal Procedure. The government also requests notice of any intention of your client to rely on an entrapment defense, or a defense involving mental condition or duress, and/or an alibi defense.

In addition, pursuant to Rule 16(b)(1)(C), the government again hereby requests disclosure of testimony that you intend to use under Rules 702, 703, and/or 705 of the Federal Rules of Evidence.

Please let us know if you have any questions or would like to further discuss any of the matters raised above.

Very truly yours,

/s/

MARK A. WILLIAMS  
MATTHEW W. O'BRIEN  
BRIAN R. FAERSTEIN  
Assistant United States Attorneys

Enclosures: 16gb removable USB flash drive containing Load Files Data  
Prod\_12LF\_13LF\_14LF;

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Discovery Production Indices 12LF\_13LF\_14LF;

Discovery Correspondence Letter dated August 17, 2022;

Discovery Correspondence Letter dated August 31, 2022

## Prod\_012LF (VOL027)

## Discovery Index

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00305342	00305342	06. IMG_4731.JPG	BOYLAN_00330805	BOYLAN_00330805	BOYLAN_00330805	BOYLAN_00330805
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00305346	00305346	10. IMG_4734.MOV	BOYLAN_00330809	BOYLAN_00330809	BOYLAN_00330809	BOYLAN_00330809
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00305349	00305349	13. IMG_7503.jpeg	BOYLAN_00330812	BOYLAN_00330812	BOYLAN_00330812	BOYLAN_00330812
00305350	00305350	14. PreviewWellImage.tiff	BOYLAN_00330813	BOYLAN_00330813	BOYLAN_00330813	BOYLAN_00330813

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BOYLAN_00330820	BOYLAN_00330822	BOYLAN_00330820	BOYLAN_00330822	/VOL028/Search Warrants re Digital Devices from Conception Salvage Wreck (-03738)	pdf		20191230 Order Granting SW Ext re Digital Devices from Conception Salvage Wreck (-03738).pdf
BOYLAN_00330823	BOYLAN_00330829	BOYLAN_00330823	BOYLAN_00330829	/VOL028/Search Warrants re Digital Devices from Conception Salvage Wreck (-03738)	pdf		20200431 Application for SW 2nd Ext re Digital Devices from Conception Salvage Wreck (-03738).pdf
BOYLAN_00330830	BOYLAN_00330832	BOYLAN_00330830	BOYLAN_00330832	/VOL028/Search Warrants re Digital Devices from Conception Salvage Wreck (-03738)	pdf	3	20200431 Order Granting SW 2nd Extension of Time.pdf
BOYLAN_00330833	BOYLAN_00330838	BOYLAN_00330833	BOYLAN_00330838	/VOL028/Search Warrants re Digital Devices from Conception Salvage Wreck (-03738)	pdf	6	20200827 Application for SW 3rd Extension re Digital Devices from Conception Salvage Wreck (19-MJ-3738).pdf
BOYLAN_00330839	BOYLAN_00330840	BOYLAN_00330839	BOYLAN_00330840	/VOL028/Search Warrants re Digital Devices from Conception Salvage Wreck (-03738)	pdf	2	20200827 Order Granting SW 3rd Ext re Digital Devices from Conception Salvage Wreck.pdf

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CR 22-482-GW

Production Date: 12-07-2022

Load File Production

US v JERRY NEHL BOYLAN  
Production 014LF (v029)

Environmental and Community Safety Crimes Section

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BEGDOC	ENDDOC	FILENAME	PROD_BEGDOC	PROD_ENDDOC	PROD_BEGATTACH	PROD_ENDATTACH
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00305704	00305708	03.3 LA-3161932-409_HQQ191205005_Case_Notes.pdf	BOYLAN_00331167	BOYLAN_00331171	BOYLAN_00331167	BOYLAN_00331171